

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

May 27, 1971
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Butler presiding.

Roll call:

Present: Councilmen Dryden, Nichols, Love, Lebermann, Handcox,
Mayor Butler
Absent: Councilman Friedman

MAYOR BUTLER noted that Councilman Friedman was out of the City attending the Conference of Cities in Indianapolis.

The Invocation was delivered by REVEREND CLARENCE M. WALTON, Trinity United Methodist Church.

APPROVAL OF MINUTES

Councilman Nichols moved the Council approve the Minutes of the Regular Meeting of May 15, 1971. The motion, seconded by Councilman Love, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Handcox,
Mayor Butler
Noes: None
Absent: Councilman Friedman

PROCLAMATION

Mayor Butler proclaimed May 27 - June 3 BUDDIES' POPPY DAYS.

RECOGNITION

MAYOR BUTLER recognized the 6th grade Government Class students.

ANNEXATION HEARINGS SET

Councilman Nichols moved the Council adopt a resolution setting a public hearing at 2:00 P.M. June 10, 1971, to consider annexing the following:

- a. 24.91 acres of land out of the William Cannon League - proposed BUCKINGHAM ESTATES, SECTION 1, and unplatted land.
- b. 21.26 acres of land out of the Santiago Del Valle Grant - proposed INDIAN HILLS, SECTION 1.
- c. 7.17 acres of land out of the William Cannon League - proposed FLOURNOY SWEETBRIAR, SECTION VIII.
- d. 30.61 acres of land out of the George W. Davis Sruvey - proposed QUAIL CREEK WEST, SECTION FOUR; a part of a street known as Hutland Drive and other unplatted land.
- e. 7.28 acres of land out of the William Cannon League - proposed BUCKINGHAM MEADOWS.
- f. 39.5 acres of property lying south of the north right-of-way line of Jones Road and extending from Williamson Creek to the present City Limit Line.

The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Handcox,
Mayor Butler

Noes: None

Absent: Councilman Friedman

EASEMENTS RELEASED

Councilman Nichols moved the Council adopt a resolution authorizing release of the following easement:

Water easement which was retained at the vacation of a portion of VINSON DRIVE.

The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Handcox,
Mayor Butler

Noes: None

Absent: Councilman Friedman

Councilman Nichols moved the Council adopt a resolution authorizing release of the following easement:

A portion of a public utilities easement out of Lot D, McADEN ADDITION.

The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Handcox,
Mayor Butler

Noes: None

Absent: Councilman Friedman

EMINENT DOMAIN

Councilman Nichols moved the Council adopt a resolution authorizing Eminent Domain Proceedings for right of way for Mo-Pac Boulevard on the following property:

West 7th Street at Johnson Creek - Robert Ogden, et ux.

The motion, seconded by Councilman Dryden, carried by the following vote:
 Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Handcox,
 Mayor Butler
 Absent: Councilman Friedman

CONTRACTS

Councilman Dryden moved the Council adopt a resolution awarding the following contracts:

UTILITY EQUIPMENT CO. - Four (4) Aerial Lift Bodies -
 \$91,200.00.

INTERNATIONAL HARVESTER - Four (4) Truck and Chassis -
 \$28,444.24.

The motion, seconded by Councilman Love, carried by the following vote:
 Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Handcox,
 Mayor Butler
 Noes: None
 Absent: Councilman Friedman

Councilman Dryden moved the Council adopt a resolution awarding the following contract:

UNION CARBIDE - Section I Medical Oxygen -
 \$23,270.00.

AUSTIN OXYGEN - Section II Anesthesia Gases -
 \$18,838.00.

The motion, seconded by Councilman Nichols, carried by the following vote:
 Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Handcox,
 Mayor Butler
 Noes: None
 Absent: Councilman Friedman

Councilman Nichols moved the Council adopt a resolution awarding the following contract:

HATHAWAY INSTRUMENTS - One each oscillograph - specification
 E-611 - \$7,576.50.

The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Handcox,
Mayor Butler
Noes: None
Absent: Councilman Friedman

Councilman Nichols moved the Council adopt a resolution awarding the following contract:

STRUCTURAL SUBSTATION, - 69 KV Substation Addition for
INC. Burleson Substation - \$19,898.00.

The motion, seconded by Councilman Dryden, carried by the following vote:
Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Handcox,
Mayor Butler
Noes: None
Absent: Councilman Friedman

MR. BENNETT reviewed the proposed concession for the Recreation Department on Festival Beach, listing the items to be carried and observed that no alcoholic beverages were included in this bid, although beer is sold at certain locations subject to the Parks and Recreation approval.

In connection with concessions, Councilman Love asked about the Golf Courses in terms of the sale of beer. The Recreation Director gave a resume of the concessions of the Municipal Course and stated that only the Morris Williams Golf Course is equipped with a short order cafe. Councilman Love noted most Municipal Golf Courses did serve beer, and the Director of Recreation recommended that it be sold strictly by cups and not carried out on the course.

Councilman Love suggested that the City get under way with the possibility of beer on the golf course, except for the Hancock Golf Course. Councilman Love asked if the City Manager would bring a recommendation back to the Council.

The Purchasing Agent assured the Council that the quality of food and drinks was high quality. As to prices, the charges must be approved by the City Manager or his designee.

As to mixed drinks at the Auditorium, the City Manager stated they would not be served until the Council authorized such.

Councilman Love moved the Council adopt a resolution awarding the following contract:

CARIOTIS CONCESSIONS - Twelve (12) months Mobile Concession Rights for special events scheduled and conducted by Parks and Recreation Department at Festival Beach and City owned property adjacent to Town Lake - 34% of gross receipts.

The motion, seconded by Councilman Dryden, carried by the following vote:
Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Handcox,
Mayor Butler
Noes: None
Absent: Councilman Friedman

RIGHT-OF-WAY FOR MO-PAC EXPRESSWAY

Councilman Love moved the Council adopt a resolution authorizing the acquisition of certain land for the Mo-Pac Expressway:

1905 Winsted Lane (partial taking)

The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Handcox,
Mayor Butler

Noes: None

Absent: Councilman Friedman

PUBLIC HEARING SET

Councilman Nichols moved the Council set a public hearing for June 10, 1971, at 2:00 P.M. to consider amendment to the Zoning Ordinance Text. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Handcox,
Mayor Butler

Noes: None

Absent: Councilman Friedman

DAY CARE CENTER ORDINANCE SET

Councilman Nichols moved the Council set a public hearing for June 17, 1971, at 2:00 P.M. to consider Day Care Center Ordinance. The motion, seconded by Councilman Love, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Handcox,
Mayor Butler

Noes: None

Absent: Councilman Friedman

ZONING HEARING

Pursuant to published notice thereof the following zoning application was publicly heard:

DR. A. EDWIN WHITE, JR.	1501 West 35th Street	From "A" Residence
C14-71-079	3404-3406 Mills Avenue	To "O" Office
		RECOMMENDED by the Planning Commission

Councilman Dryden moved the change to "O" Office be granted. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Handcox,
Mayor Butler

Noes: None

Absent: Councilman Friedman

ZONING ORDINANCE

Mayor Butler introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS: LOT 8, WM. THIELE SUBDIVISION, LOCALLY KNOWN AS 1501 WEST 35TH STREET; 3404-3406 MILLS AVENUE, FROM "A" RESIDENCE DISTRICT TO "O" OFFICE DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Dryden moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Handcox,
Mayor Butler
Noes: None
Absent: Councilman Friedman

The ordinance was read the second time and Councilman Dryden moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Handcox,
Mayor Butler
Noes: None
Absent: Councilman Friedman

The ordinance was read the third time and Councilman Dryden moved that the ordinance be finally passed. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Handcox,
Mayor Butler
Noes: None
Absent: Councilman Friedman

The Mayor announced that the ordinance had been finally passed.

REFUND CONTRACTS

Mayor Butler introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE DEPUTY CITY MANAGER TO ENTER INTO A CERTAIN REFUND CONTRACT WITH DEVELOPMENT ASSOCIATES, INCORPORATED; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman Nichols moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Handcox,
Mayor Butler
Noes: None
Absent: Councilman Friedman

The ordinance was read the second time and Councilman Nichols moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Handcox,
Mayor Butler
Noes: None
Absent: Councilman Friedman

The ordinance was read the third time and Councilman Nichols moved that the ordinance be finally passed. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Handcox,
Mayor Butler
Noes: None
Absent: Councilman Friedman

The Mayor announced that the ordinance had been finally passed.

Mayor Butler introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE DEPUTY CITY MANAGER TO
ENTER INTO A CERTAIN REFUND CONTRACT WITH E. J. HOOD,
TRUSTEE; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman Nichols moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Handcox,
Mayor Butler
Noes: None
Absent: Councilman Friedman

The ordinance was read the second time and Councilman Nichols moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Handcox,
Mayor Butler
Noes: None
Absent: Councilman Friedman

The ordinance was read the third time and Councilman Nichols moved that the ordinance be finally passed. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Handcox,
Mayor Butler
Noes: None
Absent: Councilman Friedman

The Mayor announced that the ordinance had been finally passed.

Mayor Butler introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE DEPUTY CITY MANAGER TO ENTER INTO A CERTAIN REFUND CONTRACT WITH CAL MARSHALL; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman Nichols moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Handcox,
Mayor Butler
Noes: None
Absent: Councilman Friedman

The ordinance was read the second time and Councilman Nichols moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Handcox,
Mayor Butler
Noes: None
Absent: Councilman Friedman

The ordinance was read the third time and Councilman Nichols moved that the ordinance be finally passed. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Handcox,
Mayor Butler
Noes: None
Absent: Councilman Friedman

The Mayor announced that the ordinance had been finally passed.

AMENDMENT TO REFUND CONTRACT

Mayor Butler introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 710318-I, ENACTED BY THE CITY COUNCIL, MARCH 18, 1971, AUTHORIZING THE DEPUTY CITY MANAGER TO INTERLINE OR OTHERWISE INSERT THE WORD "TRUSTEE" IN THAT CERTAIN REFUND CONTRACT AUTHORIZING BY ORDINANCE NO. 710318-I, WHEREVER SAID INSERTION SHALL BE APPROPRIATE; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman Love moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Handcox,
Mayor Butler
Noes: None
Absent: Councilman Friedman

The ordinance was read the second time and Councilman Love moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Handcox,
Mayor Butler
Noes: None
Absent: Councilman Friedman

The ordinance was read the third time and Councilman Love moved that the ordinance be finally passed. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Handcox,
Mayor Butler
Noes: None
Absent: Councilman Friedman

The Mayor announced that the ordinance had been finally passed.

AMENDMENT TO ZONING ORDINANCES

Mayor Butler introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 710401-G,
ENACTED BY THE CITY COUNCIL, APRIL 1, 1971,
CORRECTING THE LEGAL DESCRIPTION OF THE AREA
WHICH WAS REZONED BY SAID ORDINANCE; AND SUS-
PENDING THE RULE REQUIRING THE READING OF
ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Nichols moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Handcox,
Mayor Butler
Noes: None
Absent: Councilman Friedman

The ordinance was read the second time and Councilman Nichols moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Handcox,
Mayor Butler
Noes: None
Absent: Councilman Friedman

The ordinance was read the third time and Councilman Nichols moved that the ordinance be finally passed. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Handcox,
Mayor Butler
Noes: None
Absent: Councilman Friedman

The Mayor announced that the ordinance had been finally passed.

Mayor Butler introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 710318-E BY
CORRECTING THE LEGAL DESCRIPTION OF THE PROPERTY
REZONED BY SAID ORDINANCE; AND SUSPENDING THE RULE
REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE
DAYS.

The ordinance was read the first time and Councilman Nichols moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Handcox,
Mayor Butler
Noes: None
Absent: Councilman Friedman

The ordinance was read the second time and Councilman Nichols moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Handcox,
Mayor Butler
Noes: None
Absent: Councilman Friedman

The ordinance was read the third time and Councilman Nichols moved that the ordinance be finally passed. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Handcox,
Mayor Butler
Noes: None
Absent: Councilman Friedman

The Mayor announced that the ordinance had been finally passed.

Mayor Butler introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 710408-F, ENACTED
BY THE CITY COUNCIL, APRIL 8, 1971, BY CORRECTING
CERTAIN ERRORS IN THE LEGAL DESCRIPTION OF THOSE
PROPERTIES REZONED BY SAID ORDINANCE; AND SUSPENDING
THE RULE REQUIRING THE READING OF ORDINANCES ON THREE
SEPARATE DAYS.

The ordinance was read the first time and Councilman Nichols moved that

the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Handcox,
Mayor Butler
Noes: None
Absent: Councilman Friedman

The ordinance was read the second time and Councilman Nichols moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Handcox,
Mayor Butler
Noes: None
Absent: Councilman Friedman

The ordinance was read the third time and Councilman Nichols moved that the ordinance be finally passed. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Handcox,
Mayor Butler
Noes: None
Absent: Councilman Friedman

The Mayor announced that the ordinance had been finally passed.

PASSAGE OF ZONING ORDINANCE

Mayor Butler introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS: (1) A 6,000 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS 307 CUMBERLAND ROAD AND 2701-2705 WILSON STREET, FROM "A" RESIDENCE DISTRICT TO "B" RESIDENCE DISTRICT; (2) LOT 7 AND 8, BLOCK 1, COUNTRY CLUB HEIGHTS, LOCALLY KNOWN AS 3913-3915 RED RIVER AND 901-905 EAST 40TH STREET, FROM "A" RESIDENCE DISTRICT TO "B" RESIDENCE DISTRICT; ALL OF SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Nichols moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Handcox,
Mayor Butler
Noes: None
Absent: Councilman Friedman

The ordinance was read the second time and Councilman Nichols moved that

the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Handcox,
Mayor Butler
Noes: None
Absent: Councilman Friedman

The ordinance was read the third time and Councilman Nichols moved that the ordinance be finally passed. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Handcox,
Mayor Butler
Noes: None
Absent: Councilman Friedman

The Mayor announced that the ordinance had been finally passed.

ORDINANCE VACATING RAILROAD STREET

Mayor Butler introduced the following ordinance:

AN ORDINANCE VACATING AND PERPETUALLY CLOSING FOR PUBLIC USE THAT CERTAIN PORTION OF RAILROAD STREET IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; RETAINING AN EASEMENT IN THE CITY FOR PUBLIC UTILITY PURPOSES; SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY. (from Rosewood Avenue southerly 900 feet more or less)

The ordinance was read the first time and Councilman Nichols moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Handcox,
Mayor Butler
Noes: None
Absent: Councilman Friedman

The ordinance was read the second time and Councilman Nichols moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Handcox,
Mayor Butler
Noes: None
Absent: Councilman Friedman

The ordinance was read the third time and Councilman Nichols moved that the ordinance be finally passed. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Handcox,
Mayor Butler
Noes: None
Absent: Councilman Friedman

The Mayor announced that the ordinance had been finally passed.

REGULAR COUNCIL MEETINGS SET FOR 10:00 A.M.

Mayor Butler introduced the following ordinance:

AN ORDINANCE ESTABLISHING A SPECIFIC DAY AND TIME FOR
THE MEETING OF THE AUSTIN CITY COUNCIL IN ACCORDANCE
WITH THE PROVISIONS OF THE CITY CHARTER; SUSPENDING
THE RULE REQUIRING THE READING OF ORDINANCES ON THREE
SEPARATE DAYS; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman Nichols moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Handcox,
Mayor Butler
Noes: None
Absent: Councilman Friedman

The ordinance was read the second time and Councilman Nichols moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Handcox,
Mayor Butler
Noes: None
Absent: Councilman Friedman

The ordinance was read the third time and Councilman Nichols moved that the ordinance be finally passed. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Handcox,
Mayor Butler
Noes: None
Absent: Councilman Friedman

The Mayor announced that the ordinance had been finally passed.

ANNEXATION ORDINANCE

Mayor Butler introduced the following ordinance:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN
BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXA-
TION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF

27.89 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE J. C. TANNEHILL LEAGUE IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

(Proposed "The Bluffs of University Hills, Section 3")

The ordinance was read the first time and Councilman Nichols moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Love, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Handcox,
Mayor Butler

Noes: None

Absent: Councilman Friedman

The ordinance was read the second time and Councilman Nichols moved that the ordinance be passed to its third reading. The motion, seconded by Councilman Love, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Handcox,
Mayor Butler

Noes: None

Absent: Councilman Friedman

ANNEXATION HEARING - continued from May 20th

At 2:00 P.M., Mayor Butler opened the hearing to consider annexation. After discussion, Councilman Dryden moved that the hearing be closed and the administration be directed to institute annexation proceedings to annex the following:

40 acres of land out of the J. C. Tannehill League - proposed CRYSTALBROOK SECTION ONE, portions of DECKER LAKE ROAD, ED BLUESTEIN BOULEVARD and other unplatted land.

The motion, seconded by Councilman Doye, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Handcox,
Mayor Butler

Noes: None

Absent: Councilman Friedman

BOARDS AND COMMISSIONS

MAYOR BUTLER suggested that a letter should be written to all Board Members or to the Chairmen of the various Boards notifying the members whose terms expire shortly or have expired, that the Council would appreciate their continuing to serve in their capacity until they are reappointed or replaced. Since there are a number of vacancies that the Council has not had time to address itself to these Committees and Boards which must continue to do business, there should be formal affirmation of the Council's views, and an expression of gratitude for their past and continuing services.

COUNCIL REQUESTS - AGENDA

Councilman Nichols discussed the prerogative of the Council and each Council Member to place any item desired on the Agenda. Discussion ensued and the Council agreed if a member had something to be placed on the Agenda, that it be included. The City Manager stated under the 72 hour posting requirement an item could be included in a Supplemental Agenda on Monday. If the Council had an emergency item, it could be considered anytime.

AQUA FESTIVAL

The President of the Aqua Festival, Mr. Glenn Albright, appeared in the interest of the 10th Anniversary of the Aqua Festival, listing events planned, and named the main attraction, Mr. Ed McMann. He introduced the Commodore, Mr. Terry Sasser, and the Executive Director, Mr. Reginald Hatch. The Aqua Festival Queen and Dutchess presented the Council Members with "Skipper Pins".

DAMAGES SUSTAINED IN ACCIDENT

Mr. Frank Steadman was to appear regarding damages sustained in an accident, but he was not present.

AMBULANCE FRANCHISE

Mr. Price Ashton, Attorney for City Ambulance Company, appeared regarding the application for a franchise filed by CITY AMBULANCE SERVICE COMPANY, for ambulance services within the city limits. Councilman Nichols moved that predicated on the filing of the application and the necessary documents, a hearing be set at 2:00 P.M. June 17, 1971. The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Handcox,
Mayor Butler
Noes: None
Absent: Councilman Friedman

GOLF

Mr. Jim Rogers, President of the Austin Golf Association; Mr. Peter Costa, Past President of the Pan American Golf Association; Mr. Carl Turner, Capital City Golf Association; and Mr. Charles Jones, Past President of Austin Golf Association, appeared before the City Council in the interest of golf in Austin. Mayor Butler stated the Council was asking the group to assist in deciding on the best site for the new golf course. He asked suggestions for membership on this Committee to be certain all areas were represented. Mr. Jim Rogers stated Mr. Andrews was a professional in this phase as he had built golf courses. He said they would give the City any assistance they could.

The Council named the following on the Committee to help decide on a site for the new golf course:

MR. JIM ROGERS, President of Austin Golf Association
 MR. PETER ACOSTA, Past President Pan American Golf Association
 MR. CARL W. TURNER, Representative of Capital City Golf Association
 MR. CHARLIE JONES, Past President Austin Golf Association
 MR. HARVEY PENICK
 MRS. MARY HALVERSON, Austin Ladies Golf Association
 MRS. BETTY GILLIAM, Morris Williams Ladies Association
 MR. HARDIN, President South Austin Civic Club

Mayor Butler announced that the group would meet here in the Council Chambers at 8:30 A.M. June 1st, and all would go around to the two sites.

PROCLAMATIONS

Mayor Butler noted the receipt of a letter from Mr. Harley Clark regarding a proclamation for Mr. Bob Armstrong. Councilman Nichols stated that Judge McBee was retiring July 1st, and that it would be appropriate to designate July 1st, "McBEE DAY". Mayor Butler stated it was the concensus of the Council that proclamations be enacted as follows:

JUNE 7th - "BOB ARMSTRONG DAY"
 JULY 1st - "JUDGE McBEE DAY"

CAPITAL AREA PLANNING COUNCIL APPOINTEES

Councilman Love moved the Council adopt a resolution appointing the following as its representatives to the Capital Area Planning Council:

MAYOR BUTLER

COUNCILMAN DRYDEN

COUNCILMAN NICHOLS

COUNCILMAN LEBERMANN

The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Handcox,
 Mayor Butler
 Noes: None
 Absent: Councilman Friedman

CAPITAL AREA COMPREHENSIVE PLANNING COMMISSION, INC. APPOINTEE

Councilman Nichols moved that Councilman Bud Dryden be appointed to the Capital Area Comprehensive Planning Commission, Inc. The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Handcox,
 Mayor Butler
 Noes: None
 Absent: Councilman Friedman

RIGHT-OF-WAY

Councilman Nichols moved the Council adopt resolutions authorizing dedication of street right-of-way as follows:

West 39 1/2 Street
Banister Lane
Speedway
West 38th Street
St. John's Avenue

The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Handcox,
Mayor Butler

Noes: None

Absent: Councilman Friedman

WAIVER OF THE THREE READINGS OF ORDINANCES

Councilman Lebermann asked if the Code would be amended whereby ordinance could be passed finally on only one reading. The City Attorney stated this could be effected, and listed some ordinances that the Council might want to pass on three readings such as annexation ordinances (more or less prescribed by statute, Franchise ordinances and ordinances that may be introduced and passed later leaving a period for making desired changes giving time for publicity. The provision for reading ordinances three times would remain, but there would be a waiver of the three readings by five affirmative votes. It was stated this item would be on the agenda on June 3rd for consideration.

CAPITAL "I"

Councilman Lebermann introduced Mr. Winston Bodie who invited the Council to a unique affair. Mr. Bodie representing the Capital "I" which offers a forum place for a variety of view points on Radio and Television. This week end production is a Legislative Talent Show featuring the law makers to be held at Saengerrunde, Saturday night, May 29th.

WITHDRAWAL OF ZONING

The Director of Planning stated Mr. Louis A. Joseph had asked that his application for change of zoning be withdrawn. He stated this application is on 51st Street, and the zoning was not recommended by the Staff nor the Commission. His application for withdrawal is in order and in compliance with the Council's policy.

Councilman Nichols moved the Council grant Mr. Joseph's request to withdraw his zoning application as per his agreement in the letter of May 26th, Application No. C14-71-086. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Handcox,
Mayor Butler

Noes: None

Absent: Councilman Friedman

RIGHT-OF-WAY

Councilman Nichols asked about zoning and right of way. The City Manager stated it would not be trading zoning for rights of way and pointed out instances where land uses were changed whereby more traffic was generated and the one creating the extra traffic should be willing to assist in caring for it. It often becomes necessary to acquire additional right of way. This has been a Council policy.

RECORDING COUNCIL PROCEEDINGS

Mayor Butler stated there was a recording of the Council proceedings and instead of a verbatim transcript, there should be a summary of the proceedings with a back-up tape. Councilman Handcox stated there was a back-up system in case of a mechanical failure. Councilman Handcox moved to use a summarized method of recording the proceedings and to rely upon the tape for word by word transcription. The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Handcox,
Mayor Butler
Noes: None
Absent: Councilman Friedman

The Mayor stated it was the definite intention of the Council that the tapes be maintained.

TAX COMMISSION

Councilman Love asked about the status of the Tax Commission. Mayor Butler said the City Attorney was drafting an instrument so that the Commission could be legally constituted and designated with some authority. Tentatively set was membership of nine. Councilman Love asked that Council members have some suggested membership for this Commission by June 3rd.

SPONSORED RESEARCH BILL

Councilman Dryden said Dr. Lon Morgan was present earlier in the interest of the Council's voting and sending a telegram to the House members in regard to the Sponsored Research Bill. Councilman Nichols explained this was for research of the University of Texas involving about \$20,000,000 Federal Funds to be spent in this community. Other entities were working on this matter also. Councilman Nichols moved the Council request the House Member to reconsider the \$3,500,000 Sponsored Research Bill for the University of Texas. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Handcox,
Mayor Butler
Noes: None
Absent: Councilman Friedman

A telegram, signed by the Mayor and each Councilman was to be sent to Representatives W. S. Heatley and G. F. Mutscher, with a copy to Honorable Ben Barnes, stating the Council had voted to request them to reconsider the

\$3,500,000 Sponsored Research Bill for the University of Texas.

ADJOURNMENT

The Council adjourned.

APPROVED

Ray Butler

Mayor

ATTEST:

Elaine Wooley

City Clerk